

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

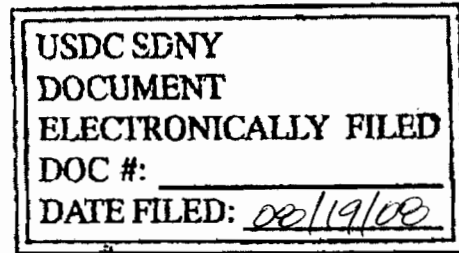
-----X
LAMONT SIMMONS,

Plaintiff,

-against-

CAPTAIN JEMMOT, ET AL.,

Defendants.
-----X



ORDER

08 Civ. 2198 (BSJ)(KNF)

KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

The plaintiff commenced this action by filing a complaint with the Clerk of Court on March 5, 2008. The docket sheet maintained by the Clerk of Court for this action shows that defendants Correction Officer Cooper and Correction Captain Jemmott were served with process on April 4, 2008. The time for these defendants to respond to the complaint was enlarged, at their request. However, they have failed to interpose an answer to the complaint or to move with respect to that pleading; moreover, the time for doing so has elapsed.

The Court is mindful that the docket sheet does not indicate that the plaintiff has taken any action pursuant either to Rule 55 or Rule 41 of the Federal Rules of Civil Procedure.

Therefore, IT IS HEREBY ORDERED that, on or before September 19, 2008, the plaintiff shall review the provisions of the Federal Rules of Civil Procedure noted above and make such application to the court as he deems appropriate.

Dated: New York, New York
August 19, 2008

SO ORDERED:

Copies mailed to:
Lamont Simmons
Joyce Campbell Priv  terre, Esq.

Kevin Nathaniel Fox
KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE